

104TH CONGRESS
1ST SESSION

H. R. 1997

To provide flexibility to States in the administration of the food stamp program, consolidation of the commodity distribution programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 1995

Mr. EMERSON introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To provide flexibility to States in the administration of the food stamp program, consolidation of the commodity distribution programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Food Stamp Flexibility
5 and Commodity Distribution Consolidation Act of 1995”.

1 **TITLE I—FOOD STAMP PROGRAM**

2 **Subtitle A—State Flexibility**

3 **SEC. 101. CERTIFICATION PERIOD.**

4 Section 3(c) of the Food Stamp Act of 1977 (7
5 U.S.C. 2012(c)) is amended by striking “authorization
6 cards. Except as provided” and all that follows and insert-
7 ing the following: “benefits. The certification period shall
8 not exceed 24 months. A State agency shall have at least
9 1 contact with each certified household every 12 months.”.

10 **SEC. 102. STANDARD UTILITY ALLOWANCE.**

11 Section 5(e) of the Food Stamp Act of 1977 (7
12 U.S.C. 2014(e)) is amended in the fourteenth sentence by
13 striking “and up to one additional time during each
14 twelve-month period”.

15 **SEC. 103. COOPERATION WITH CHILD SUPPORT AGENCIES.**

16 Section 6 of the Food Stamp Act of 1977 (7 U.S.C.
17 2015) is amended by adding at the end the following:

18 “(i) COOPERATION WITH CHILD SUPPORT AGEN-
19 CIES.—

20 “(1) CUSTODIAL PARENT.—

21 “(A) IN GENERAL.—At the option of a
22 State agency, subject to paragraph (3) and sub-
23 paragraph (B), a natural or adoptive parent or
24 other individual who is living with and exercis-
25 ing parental control over a child under the age

1 of 18 who has an absent parent shall not be eli-
2 gible to participate in the food stamp program
3 if such individual refuses to cooperate with the
4 State agency administering the program estab-
5 lished under part D of title IV of the Social Se-
6 curity Act (42 U.S.C. 651 et seq.)—

7 “(i) in establishing the paternity of
8 the child (if the child is born out of wed-
9 lock); and

10 “(ii) in obtaining support for—

11 “(I) the child; or

12 “(II) the individual and the child.

13 “(B) GOOD CAUSE FOR NONCOOP
14 ERATION.—Subparagraphs (A) shall not apply
15 to the individual if good cause is found for re-
16 fusing to cooperate, as determined by the State
17 agency in accordance with standards prescribed
18 by the Secretary in consultation with the Sec-
19 retary of Health and Human Services. The
20 standards shall take into consideration cir-
21 cumstances under which cooperation may be
22 against the best interests of the child.

23 “(2) NON-CUSTODIAL PARENT.—

24 “(A) IN GENERAL.—At the option of a
25 State agency, subject to paragraph (3) and sub-

1 paragraph (B), a non-custodial parent, includ-
2 ing a putative non-custodial parent, of a child
3 under the age of 18 shall not be eligible to par-
4 ticipate in the food stamp program if such indi-
5 vidual refuses to cooperate with the State agen-
6 cy administering the program established under
7 part D of title IV of the Social Security Act
8 (42 U.S.C. 651 et seq.)—

9 “(i) in establishing the paternity of
10 the child (if the child is born out of wed-
11 lock); and

12 “(ii) in providing support for the
13 child.

14 “(B) REFUSAL TO COOPERATE.—

15 “(i) GUIDELINES.—The Secretary, in
16 consultation with the Secretary of Health
17 and Human Services, shall develop guide-
18 lines on what constitutes a refusal to co-
19 operate under subparagraph (A).

20 “(ii) PROCEDURES.—The State agen-
21 cy shall develop procedures, using guide-
22 lines developed under clause (i), for deter-
23 mining whether an individual is refusing to
24 cooperate under subparagraph (A).

1 “(3) FEES.—Paragraphs (1) and (2) shall not
2 require the payment of a fee or other cost for serv-
3 ices provided under part D of title IV of the Social
4 Security Act (42 U.S.C. 651 et seq.).

5 “(4) PRIVACY.—The State agency shall provide
6 safeguards to restrict the use of information col-
7 lected by a State agency administering the program
8 established under part D of title IV of the Social Se-
9 curity Act (42 U.S.C. 651 et seq.).”.

10 **SEC. 104. CHARGING FOR ELECTRONIC BENEFIT TRANSFER**

11 **CARD REPLACEMENT.**

12 Section 7(i) of the Food Stamp Act of 1977 (7 U.S.C.
13 2016(i)) is amended by adding at the end the following:

14 “(7) CHARGING FOR ELECTRONIC BENEFIT
15 TRANSFER CARD REPLACEMENT.—

16 “(A) IN GENERAL.—A State agency may
17 charge a household for the cost of replacing an
18 electronic benefit transfer card.

19 “(B) REDUCING ALLOTMENT.—A State
20 agency may collect a charge imposed under sub-
21 paragraph (A) by reducing the benefit of the
22 household of which the individual is a mem-
23 ber.”.

1 **SEC. 105. OPTIONAL COMBINED ALLOTMENT.**

2 Section 8(c)(3) of the Food Stamp Act of 1977 (7
3 U.S.C. 2017(c)(3)) is amended to read as follows:

4 “(3) OPTIONAL COMBINED ALLOTMENT FOR
5 EXPEDITED HOUSEHOLDS.—A State agency may
6 provide to an eligible household applying after the
7 15th day of a month, in lieu of the initial allotment
8 of the household and the regular allotment of the
9 household for the following month, an allotment that
10 is the aggregate of the initial allotment and the first
11 regular allotment, which shall be provided in accord-
12 ance with section 11(e)(3) in the case of a household
13 that is not entitled to expedited service or in accord-
14 ance with paragraphs (3) and (9) of section 11(e) in
15 the case of a household that is entitled to expedited
16 service.”.

17 **SEC. 106. OPERATION OF FOOD STAMP OFFICES.**

18 Section 11 of the Food Stamp Act of 1977 (7 U.S.C.
19 2020) is amended—

20 (1) in subsection (e)—

21 (A) by amending paragraph (2) to read as
22 follows:

23 “(2)(A) that the State agency shall establish
24 procedures governing the operation of food stamp of-
25 fices that the State agency determines best serve
26 households in the State, including households with

1 special needs, such as households with elderly or dis-
2 abled members, households in rural areas with low-
3 income members, homeless individuals, households
4 residing on reservations, and households in which a
5 language other than English is spoken.

6 “(B) In carrying out subparagraph (A), a State
7 agency—

8 “(i) shall develop applications containing
9 the information necessary to comply with the
10 provisions of this Act;

11 “(ii) shall permit an applicant household to
12 apply to participate in the program on the same
13 day that the household first contacts a food
14 stamp office in person during office hours;

15 “(iii) shall consider an application filed on
16 the date the applicant submits an application
17 that contains the name, address, and signature
18 of the applicant;

19 “(iv) shall require that an adult represent-
20 ative of each applicant household certify in
21 writing, under penalty of perjury, that—

22 “(I) the information contained in the
23 application is true; and

1 “(II) all members of the household
2 are either citizens or are aliens eligible to
3 receive food stamps under section 6(f);

4 “(v) shall provide a method of certifying
5 and issuing coupons to eligible households that
6 do not reside in permanent dwellings or who do
7 not have fixed mailing addresses, ensuring that
8 participation in the food stamp program is lim-
9 ited to eligible households; and

10 “(vi) may establish operating procedures
11 that vary for local food stamp offices to reflect
12 regional and local differences within the State.

13 “(C) Nothing in this Act shall be deemed to
14 prohibit the use of signatures provided and main-
15 tained electronically, storage of records using auto-
16 mated information retrieval systems only, or any
17 other feature of a State agency’s application system
18 that does not rely exclusively on the collection and
19 retention of paper applications or other records;”;

20 (B) in paragraph (3)—

21 (i) by striking “shall—” and all that
22 follows through “provide each” and insert-
23 ing “shall provide each”; and

24 (ii) by striking “(B) assist” and all
25 that follows through the end; and

1 (C)(i) by striking paragraphs (14) and
2 (25); and

3 (ii) by redesignating paragraphs (15)
4 through (24) as paragraphs (14) through (23),
5 respectively; and
6 (2) in subsection (i)—

7 (A) by striking “(i) Notwithstanding” and
8 all that follows through “(2)” and inserting the
9 following:

10 “(i) APPLICATION AND DENIAL PROCEDURES.—

11 “(1) APPLICATION PROCEDURES.—Notwith-
12 standing any other provision of law,”; and

13 (B) by striking “; (3) households” and all
14 that follows through “title IV of the Social Se-
15 curity Act. No” and inserting a period and the
16 following:

17 “(2) DENIAL AND TERMINATION.—Other than
18 in a case of disqualification as a penalty for failure
19 to comply with a public assistance program rule or
20 regulation, no”.

21 **SEC. 107. STATE EMPLOYMENT AND TRAINING STANDARDS.**

22 Section 11(e)(6) of the Food Stamp Act of 1977 (7
23 U.S.C. 2020(e)(6)) is amended—

24 (1) by striking “(C) the State agency” and all
25 that follows; and

1 (2) by inserting “and” before “(B) the State
2 agency”.

3 **SEC. 108. EXPEDITED COUPON SERVICE.**

4 Section 11(e)(9) of the Food Stamp Act of 1977 (7
5 U.S.C. 2020(e)(9)) is amended—

6 (1) in subparagraph (A)—

7 (A) by striking “five days” and inserting
8 “7 days”; and

9 (B) by inserting “and” at the end;

10 (2) by striking subparagraphs (B) and (C);

11 (3) by redesignating subparagraph (D) as sub-
12 paragraph (B); and

13 (4) in subparagraph (B), as redesignated by
14 paragraph (3), by striking “, (B), or (C)”.

15 **SEC. 109. INCOME AND ELIGIBILITY VERIFICATION SYS-**
16 **TEMS.**

17 Section 11 of the Food Stamp Act of 1977 (7 U.S.C.
18 2020) is amended—

19 (1) in paragraph (18), as amended by section
20 106(2)(C)—

21 (A) by striking “that in information is”
22 and inserting “at the option of the State agen-
23 cy, that information may be”; and

24 (B) by striking “shall” before “be re-
25 quested” and inserting “may”; and

1 (2) by adding at the end the following:

2 “(p) STATE VERIFICATION OPTION.—Notwithstand-
3 ing any other provision of law, a State agency shall not
4 be required to use an income and eligibility or an immigra-
5 tion status verification system established under section
6 1137 of the Social Security Act (42 U.S.C. 1320b–7).”.

7 **SEC. 110. COLLECTION OF OVERISSUANCES.**

8 (a) COLLECTION OF OVERISSUANCES.—Section 13 of
9 the Food Stamp Act of 1977 (7 U.S.C. 2022) is
10 amended—

11 (1) by amending subsection (b) to read as fol-
12 lows:

13 “(b) COLLECTION OF OVERISSUANCES.—

14 “(1) IN GENERAL.—Except as otherwise pro-
15 vided in this subsection, a State agency shall collect
16 any overissuance of coupons issued to a household
17 by—

18 “(A) reducing the allotment of the house-
19 hold;

20 “(B) recovering unemployment compensa-
21 tion from a member of the household under
22 subsection (c);

23 “(C) recovering from Federal pay or a
24 Federal income tax refund under subsection
25 (d); or

1 “(D) any other means.

2 “(2) COST EFFECTIVENESS.—Paragraph (1)
3 shall not apply if the State agency demonstrates to
4 the satisfaction of the Secretary that all of the col-
5 lection methods referred to in paragraph (1) are not
6 cost effective.

7 “(3) MAXIMUM REDUCTION ABSENT FRAUD.—
8 If a household received an overissuance of coupons
9 without any member of the household being found
10 ineligible to participate in the program under section
11 6(b)(1) and a State agency elects to reduce the allot-
12 ment of the household under paragraph (1)(A), to
13 avoid a hardship on the household the State agency
14 shall not reduce the monthly allotment of the house-
15 hold under paragraph (1)(A) by an amount in excess
16 of the greater of—

17 “(A) 10 percent of the monthly allotment
18 of the household; or

19 “(B) \$10.

20 “(4) PROCEDURES.—A State agency shall col-
21 lect an overissuance of coupons issued to a house-
22 hold under paragraph (1) in accordance with the re-
23 quirements established by the State agency for pro-
24 viding notice, electing a means of payment, and es-
25 tablishing a time schedule for payment.”; and

1 (2) in subsection (d) by striking “as determined
2 under subsection (b) and except for claims arising
3 from an error of the State agency,” and inserting “,
4 as determined under subsection (b)(1),”.

5 (b) CONFORMING AMENDMENT.—Section 11(e)(8) of
6 the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(8)) is
7 amended by striking “and excluding claims” and all that
8 follows through “such section,”.

9 (c) RETENTION RATE.—Section 16(a) of the Food
10 Stamp Act of 1977 (7 U.S.C. 2025(a)) is amended by
11 striking “25 percent during the period beginning October
12 1, 1990” and all that follows through “error of a State
13 agency.” and inserting the following: “25 percent of the
14 overissuances collected by the State agency under section
15 13, except those overissuances arising from an error of
16 the State agency.”.

17 **SEC. 111. CONFORMING AMENDMENTS.**

18 (a) SECTION 6(d)(4)(M).—Section 6(d)(4)(M) of the
19 Food Stamp Act of 1977 (7 U.S.C. 2015(d)(4)(M)) is
20 amended by striking “(22)” and inserting “(21)”.

21 (b) SECTION 7(f).—Section 7(f) of the Act (7 U.S.C.
22 2016(f)) is amended by striking “(20)” and inserting
23 “(19)”.

1 (c) SECTION 21(b)(2)(G).—Section 21(b)(2)(G) of
2 the Act (7 U.S.C. 2030(b)(2)(G)) is amended by striking
3 “(19)” and inserting “(18)”.

4 **Subtitle B—Vitamins and Minerals**

5 **SEC. 121. VITAMINS AND MINERALS.**

6 Section 3(g)(1) of the Food Stamp Act of 1977 (7
7 U.S.C. 2012(g)(1)) is amended by striking “or food prod-
8 uct” and inserting “food product, or vitamins and min-
9 erals”.

10 **Subtitle C—Technical Amendments**

11 **SEC. 131. HOUSEHOLD INCOME.**

12 Section 5(d) of the Food Stamp Act of 1977 (7
13 U.S.C. 2014(d)) is amended to read as follows:

14 “(d) HOUSEHOLD INCOME.—Household income for
15 purposes of the food stamp program shall include all in-
16 come from whatever source excluding only—

17 “(1) any gain or benefit which is not in the
18 form of money payable directly to a household (not-
19 withstanding its conversion in whole or in part to di-
20 rect payments to households pursuant to any dem-
21 onstration project carried out or authorized under
22 Federal law including demonstration projects created
23 by the waiver of provisions of Federal law), except
24 as provided in subsection (k);

1 “(2) any income in the certification period
2 which is received too infrequently or irregularly to be
3 reasonably anticipated, but not in excess of \$30 in
4 a quarter, subject to modification by the Secretary
5 under subsection (f);

6 “(3) all educational loans on which payment is
7 deferred, grants, scholarships, fellowships, veterans’
8 educational benefits, and the like—

9 “(A) awarded to a household member en-
10 rolled at a recognized institution of post-second-
11 ary education, at a school for the handicapped,
12 in a vocational education program, or in a pro-
13 gram that provides for completion of a second-
14 ary school diploma or obtaining the equivalent
15 thereof;

16 “(B) to the extent that they do not exceed
17 the amount used for or made available as an al-
18 lowance determined by such school, institution,
19 program, or other grantor, for tuition and man-
20 datory fees (including the rental or purchase of
21 any equipment, materials, and supplies related
22 to the pursuit of the course of study involved),
23 books, supplies, transportation, and other mis-
24 cellaneous personal expenses (other than living

1 expenses), of the student incidental to attending
2 such school, institution, or program; and

3 “(C) to the extent loans include any origi-
4 nation fees and insurance premiums;

5 “(4) all loans other than educational loans on
6 which repayment is deferred;

7 “(5)(A) reimbursements which do not exceed
8 expenses actually incurred and which do not rep-
9 resent a gain or benefit to the household; and

10 “(B) any allowance a State agency provides no
11 more frequently than annually to families with chil-
12 dren on the occasion of those children’s entering or
13 returning to school or child care for the purpose of
14 obtaining school clothes (except that no such allow-
15 ance shall be excluded if the State agency reduces
16 monthly assistance under part A of title IV of the
17 Social Security Act (42 U.S.C. 601 et seq.) in the
18 month for which the allowance is provided): *Pro-*
19 *vided*, That no portion of benefits provided under
20 title IV of the Social Security Act, to the extent it
21 is attributable to an adjustment for work-related or
22 child care expenses (except for payments or reim-
23 bursements for such expenses made under an em-
24 ployment, education, or training program initiated
25 under such title after the date of enactment of the

1 Hunger Prevention Act of 1988, and no portion of
2 any educational loan on which payment is deferred,
3 grant, scholarship, fellowship, veterans' benefits, and
4 the like that are provided for living expenses, shall
5 be considered such reimbursement;

6 “(6) moneys received and used for the care and
7 maintenance of a third-party beneficiary who is not
8 a household member;

9 “(7) income earned by a child who is a member
10 of the household, who is an elementary or secondary
11 school student, and who is 21 years of age or young-
12 er;

13 “(8) moneys received in the form of non-
14 recurring lump-sum payments, including, but not
15 limited to, income tax refunds, rebates, or credits,
16 cash donations based on need that are received from
17 one or more private nonprofit charitable organiza-
18 tions (but not in excess of \$300 in the aggregate in
19 a quarter), retroactive lump-sum social security or
20 railroad retirement pension payments and retro-
21 active lump-sum insurance settlements: *Provided,*
22 That such payments shall be counted as resources,
23 unless specifically excluded by other laws;

24 “(9) the cost of producing self-employed in-
25 come, but household income that otherwise is in-

1 cluded under this subsection shall be reduced by the
2 extent that the cost of producing self-employment in-
3 come exceeds the income derived from self-employ-
4 ment as a farmer;

5 “(10) any income that any other Federal law
6 specifically excludes from consideration as income
7 for purposes of determining eligibility for the food
8 stamp program except as otherwise provided in sub-
9 section (k) of this section;

10 “(11) any payments or allowances made for the
11 purpose of providing energy assistance—

12 “(A) under any Federal law; or

13 “(B) under any State or local laws—

14 “(I) designated by the State or local
15 legislative body authorizing such payments
16 or allowances as energy assistance; and

17 “(II) determined by the Secretary to
18 be calculated as if provided by the State or
19 local government involved on a seasonal
20 basis for an aggregate period not to exceed
21 six months in any year even if such pay-
22 ments or allowances (including tax credits)
23 are not provided a seasonal basis because
24 it would be administratively infeasible or
25 impracticable to do so;

1 “(12) through September 30 of any fiscal year,
2 any increase in income attributable to a cost-of-liv-
3 ing adjustment made on or after July 1 of such fis-
4 cal year under title II or XVI of the Social Security
5 Act (42 U.S.C. 401 et seq.), section 3(a)(1) of the
6 Railroad Retirement Act of 1974 (45 U.S.C.
7 231b(a)(1)), or section 3112 of title 38, United
8 States Code, if the household was certified as eligible
9 to participate in the food stamp program or received
10 an allotment in the month immediately preceding the
11 first month in which the adjustment was effective;

12 “(13) at the option of a State agency and sub-
13 ject to subsection (m), child support payments that
14 are excluded under section 402(a)(8)(A)(vi) of the
15 Social Security Act (42 U.S.C. 602(a)(8)(A)(vi));

16 “(14) any payment made to the household
17 under section 3507 of the Internal Revenue Code of
18 1986 (relating to advance payment of earned income
19 credit);

20 “(15) any payment made to the household
21 under section 6(d)(4)(I) for work related expenses or
22 for dependent care; and

23 “(16) any amounts necessary for the fulfillment
24 of a plan for achieving self-support of a household
25 member as provided under subparagraph (A)(iii) or

1 (B)(iv) of section 1612(b)(4) of the Social Security
2 Act (42 U.S.C. 1382a(b)(4)).”.

3 **SEC. 132. STATE PLAN.**

4 Section 11(d) of the Food Stamp Act of 1977 (7
5 U.S.C. 2020(d)) is amended—

6 (1) by striking “(d) The State agency” and in-
7 serting “(d)(1) STATE PLAN.—The State agency”;

8 (2) in the second sentence by striking “may”
9 after “Secretary” and inserting “shall”; and

10 (3) by striking the third sentence and all that
11 follows through the end of the subsection and insert-
12 ing the following:

13 “(2) INDIAN RESERVATIONS.—

14 “(A) In the case of all or part of an Indian
15 reservation, the State agency (as defined in sec-
16 tion 3(n)(1)) shall be responsible for conducting
17 such program on such reservation and submit-
18 ting for approval a plan of operation specifying
19 the manner in which such program will be con-
20 ducted unless the Secretary determines that—

21 “(i) the State agency (as defined in
22 section 3(n)(1)) is failing to properly ad-
23 minister such program on such reservation
24 in accordance with the purposes of this
25 Act; and

1 “(ii) the State agency (as defined in
2 section 3(n)(2)) is capable of effectively
3 and efficiently conducting such program
4 considering—

5 “(I) the distance of the reserva-
6 tion from State agency-operated (as
7 defined in section 3(n)(1)) certifi-
8 cation and issuance centers;

9 “(II) the previous experience of
10 Indian tribal organization in the oper-
11 ation of programs authorized under
12 the Indian Self-Determination Act (25
13 U.S.C. 450) and similar Acts of Con-
14 gress;

15 “(III) the Indian tribal organiza-
16 tion’s management and fiscal capabili-
17 ties; and

18 “(IV) the adequacy of measures
19 taken by the Indian tribal organiza-
20 tion to ensure that there shall be no
21 discrimination in the operation of the
22 program on the basis of race, color,
23 sex, or national origin.

24 “(B) The Secretary, upon the request of a
25 tribal organization, shall provide the designees

1 of such organization with appropriate training
2 and technical assistance to enable them to qual-
3 ify as expeditiously as possible as a State agen-
4 cy pursuant to section 3(n)(2) of this Act.

5 “(C) The State agency (as defined in sec-
6 tion 3(n)(1)), before submitting a plan of oper-
7 ation to the Secretary for the administration of
8 the food stamp program on all or part of an In-
9 dian reservation, shall consult in good faith
10 with the tribal organization about that portion
11 of the State’s plan of operation pertaining to
12 the implementation of the program for members
13 of the tribe, and shall implement the program
14 in a manner that is responsive to the needs of
15 the Indians on the reservation as determined by
16 ongoing consultation with the tribal organiza-
17 tion.”.

18 **SEC. 133. TECHNICAL CORRECTIONS.**

19 (a) SECTION 5(j).—Section 5(j) of the Food Stamp
20 Act of 1977 (7 U.S.C. 2014(j)) is amended by striking
21 “II,”.

22 (b) SECTION 9(c).—Section 9(c) of the Act (7 U.S.C.
23 2018(c)) is amended by striking “any” before “used by
24 Federal law enforcement” and inserting “and”.

1 (c) SECTION 10.—Section 10 of the Act (7 U.S.C.
2 2019) is amended by striking “or the Federal Savings and
3 Loan Insurance Corporation” in both places where it ap-
4 pears.

5 (d) SECTION 16(g).—Section 16(g) of the Act (7
6 U.S.C. 2025(g)) is amended by striking “an amount” and
7 all that follows through “1991, of” and inserting “the
8 amount provided under subsection (a)(6) for”.

9 **Subtitle D—Authorization**

10 **SEC. 141. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 18(a)(1) of the Food Stamp Act of 1977 (7
12 U.S.C. 2027(a)(1)) is amended by striking “such sums as
13 are necessary for each of the fiscal years 1991 through
14 1995” and inserting the following: “\$26,396,300,000 for
15 fiscal year 1996, \$25,756,300,000 for fiscal year 1997,
16 \$26,507,300,000 for fiscal year 1998, \$27,430,300,000
17 for fiscal year 1999, and \$28,416,300,000 for fiscal year
18 2000”.

19 **SEC. 142. AUTHORIZATION OF PUERTO RICO BLOCK**
20 **GRANT.**

21 The first sentence of section 19(a)(1)(A) of the Food
22 Stamp Act of 1977 (7 U.S.C. 2028(a)(1)(A)) is amended
23 by striking “\$974,000,000” and all that follows through
24 “fiscal year 1995” and inserting the following:
25 “\$1,143,000,000 for fiscal year 1996, \$1,182,000,000 for

1 fiscal year 1997, \$1,223,000,000 for fiscal year 1998,
2 \$1,266,000,000 for fiscal year 1999, and \$1,310,000,000
3 for fiscal year 2000”.

4 **SEC. 143. AMERICAN SAMOA.**

5 The Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.)
6 is amended by adding at the end the following:

7 “TERRITORY OF AMERICAN SAMOA

8 “SEC. 24. From the sums appropriated under this
9 Act, the Secretary is authorized to pay to the Territory
10 of American Samoa not more than \$5,300,000 each fiscal
11 year 1996 through 2000 to finance 100 percent of the ex-
12 penditures for each fiscal year for a nutrition assistance
13 program extended under Public Law 96–597.”.

14 **TITLE II—COMMUNITY DISTRIBUTION**

15 **Subtitle A—Emergency Food Assistance**

16 **Program**

17 **SEC. 201. DEFINITIONS.**

18 Section 201A of the Emergency Food Assistance Act
19 of 1983 (7 U.S.C. 612c note) is amended to read as fol-
20 lows:

21 “SEC. 201A. DEFINITIONS.—As used in this Act, the
22 term:

23 “(1) ‘Eligible recipient agency’ means—

24 “(A) a public or nonprofit organization
25 that administers—

1 “(i) an emergency feeding organiza-
2 tion;

3 “(ii) a charitable institution (including
4 a hospital and a retirement home, but ex-
5 cluding a penal institution) to the extent
6 that such institution serves needy persons;

7 “(iii) a summer camp for children, or
8 a child nutrition program providing food
9 service;

10 “(iv) a nutrition project operating
11 under the Older Americans Act of 1965,
12 including such project that operates a con-
13 gregate nutrition site and a project that
14 provides home-delivered meals; or

15 “(v) a disaster relief program;

16 “(B) that has been designated by the ap-
17 propriate State agency, or by the Secretary;
18 and

19 “(C) that has been approved by the Sec-
20 retary for participation in the program estab-
21 lished under this Act.

22 “(2) ‘Emergency feeding organization’ means a
23 public or nonprofit organization that administers ac-
24 tivities and projects (including the activities and
25 projects of a charitable institution, a food bank, a

1 food pantry, a hunger relief center, a soup kitchen,
2 or a similar public or private nonprofit eligible recip-
3 ient agency) providing nutrition assistance to relieve
4 situations of emergency and distress through the
5 provision of food to needy persons, including low-in-
6 come and unemployed persons.

7 “(3) ‘Food bank’ means a public and charitable
8 institution that maintains an established operation
9 involving the provision of food or edible commodities,
10 or the products thereof, to food pantries, soup kitch-
11 ens, hunger relief centers, or other food or feeding
12 centers that, as an integral part of their normal ac-
13 tivities, provide meals or food to feed needy persons
14 on a regular basis.

15 “(4) ‘Food pantry’ means a public or private
16 nonprofit organization that distributes food to low-
17 income and unemployed households, including food
18 from sources other than the Department of Agri-
19 culture, to relieve situations of emergency and dis-
20 tress.

21 “(5) ‘Soup kitchen’ means a public and chari-
22 table institution that, as integral part of its normal
23 activities, maintains an established feeding operation
24 to provide food to needy homeless persons on a regu-
25 lar basis.’’.

1 **SEC. 202. AUTHORIZATION OF APPROPRIATIONS FOR AD-**
2 **MINISTRATIVE FUNDS.**

3 Section 204(a)(1) of the Emergency Food Assistance
4 Act of 1983 (7 U.S.C. 612c note) is amended—

5 (1) by striking “1991 through 1995” and in-
6 serting “1996 through 2000”; and

7 (2) in the third sentence by striking “commod-
8 ities under the program” and all that follows
9 through “the distribution of”.

10 **SEC. 203. PURCHASE AND DELIVERY OF COMMODITIES.**

11 Section 214 of the Emergency Food Assistance Act
12 of 1983 (7 U.S.C. 612c note) is amended—

13 (1) in subsection (a) by striking “1991 through
14 1995” and inserting “1996 through 2000”;

15 (2) in subsection (e)—

16 (A) in the first sentence by striking
17 “\$175,000,000” and all that follows through
18 “1993 and 1995” and inserting “\$300,000,000
19 for each of fiscal years 1996 through 2000”;
20 and

21 (B) in the second sentence by striking
22 “1991 through 1995” and inserting “1996
23 through 2000”; and

24 (3) in the second sentence of subsection (h) by
25 striking “or calculated under subsection (j)” and all

1 that follows through “such fiscal year” and inserting
2 “before December 31 of the following fiscal year”.

3 **SEC. 204. TECHNICAL AMENDMENTS.**

4 (a) EMERGENCY FOOD ASSISTANCE ACT OF 1983.—
5 The Emergency Food Assistance Act of 1983 (7 U.S.C.
6 612c note) is amended—

7 (1) by striking section 202A;

8 (2) in section 203B(a) by striking “203 and
9 203A of this Act” and inserting “203A”;

10 (3) in section 204(a)—

11 (A) in the first and second sentences of
12 paragraph (1) by striking “title” the inserting
13 “Act”; and

14 (B) in the second sentence of paragraph
15 (2) by striking “title” and inserting “Act”;

16 (4) in section 210(e) by striking “(except as
17 otherwise provided for in section 214(j))”;

18 (5) by striking section 212; and

19 (6) in section 214—

20 (A) in subsection (g) by striking “or sub-
21 section (j) if applicable,”;

22 (B) in the first sentence of subsection (h)
23 by striking “or subsection (j) if applicable,”;
24 and

25 (C) by striking subsection (j).

1 (b) FOOD SECURITY ACT OF 1985.—The Food Secu-
2 rity Act of 1985 (7 U.S.C. 612c note) is amended by strik-
3 ing section 1571.

4 (c) CHARITABLE ASSISTANCE AND FOOD BANK ACT
5 OF 1987.—The Charitable Assistance and Food Bank Act
6 of 1987 (7 U.S.C. 612c note) is amended by striking sec-
7 tion 3.

8 (d) HUNGER PREVENTION ACT OF 1988.—The Hun-
9 ger Prevention Act of 1988 (7 U.S.C. 612c note) is
10 amended—

11 (1) by striking section 110;

12 (2) by striking subtitle C of title II; and

13 (3) by striking section 502.

14 (c) FOOD, AGRICULTURE, CONSERVATION AND
15 TRADE ACT OF 1990.—The Food, Agriculture, Conserva-
16 tion, and Trade Act of 1990 (7 U.S.C. 612c note) is
17 amended by striking section 1773(f).

18 **Subtitle B—Commodity Supplemental Food**
19 **Program**

20 **SEC. 211. REAUTHORIZATION OF PROGRAM.**

21 (a) PURCHASE AND DISTRIBUTION OF COMMOD-
22 ITIES.—Section 4(a) of the Agriculture and Consumer
23 Protection Act of 1973 (7 U.S.C. 612c note) is amended
24 by striking “1991 through 1995” and inserting “1996
25 through 2000”.

1 (b) COMMODITY SUPPLEMENTAL FOOD PROGRAM.—

2 Section 5 of the Act (7 U.S.C. 612c note) is amended—

3 (1) in subsection (a) by striking “1991 through

4 1995” and inserting “1996 through 2000”; and

5 (2) in subsection (d)(2) by striking “1991

6 through 1995” and inserting “1996 through 2000”.

7 **SEC. 212. INCREASED STATE FLEXIBILITY.**

8 Section 5(g) of the Agriculture and Consumer Protec-

9 tion Act of 1973 (7 U.S.C. 612c note) is amended by

10 striking “, with the approval of the Secretary,”.



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